



March 31, 2008

The Honorable John D. Dingell
Chairman, Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Dingell:

On behalf of the National Association of Convenience Stores ("NACS"), I appreciate this opportunity to offer our views on the Manager's Amendment to H.R. 1108, the Family Smoking Prevention and Tobacco Control Act. NACS is grateful for the time and effort that you, other Members, and staff have taken to engage with us and consider our concerns with this legislation.

As you know, NACS has opposed H.R. 1108 and similar legislation for several years due to the concerns we have had with the way the bill regulates the retail sale of tobacco. These concerns include doubts about the fairness and effectiveness of the retail provisions of the bill, including the Food and Drug Administration's ability and experience in regulating retail sales.

Your willingness to find ways to address many of our concerns in the Manager's Amendment that will be considered by the full House Energy and Commerce Committee is greatly appreciated. Several provisions in the amendment significantly advance our shared interests in the fairness and effectiveness of the manner in which the bill regulates the retail sales of tobacco. With that in mind, while we are unable to endorse H.R. 1108 as embodied in the Manager's Amendment, we no longer oppose it and are not seeking any additional changes to that amendment as it moves forward in the House and Senate. We will, however, oppose any similar legislation that does not include all of the important changes relating to the retail sale of tobacco that are reflected in that amendment or that includes provisions adversely affecting retailers that do not appear in that amendment.

Again, we very much appreciate the cooperative manner in which you, other Members, and all of your staffs have been willing to work with us through issues that for years have appeared to be intractable. Thank you for your efforts.

Sincerely,

A handwritten signature in black ink that reads "Lyle Beckwith". The signature is fluid and cursive, with the first name "Lyle" being more prominent.

Lyle Beckwith
Senior Vice President, Government Relations

cc: The Honorable Joe Barton
The Honorable Frank Pallone
The Honorable Nathan Deal
The Honorable Henry Waxman
The Honorable Tom Davis

The Association for Convenience & Petroleum Retailing

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